

CORPORATION COMMISSION OF OKLAHOMA



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November 18, 2015

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

RE: *Ex Parte* disclosure in WC Docket No. 11-42, et al.  
Support for a Reasonable Extension of the Effective Date for Implementation of the  
Oklahoma Historical Map

On November 17, 2015, by unanimous vote, the Oklahoma Corporation Commission expressed its support for the reasonable extension of the current effective date of February 9, 2016, for implementation of the Oklahoma Historical Map for purposes of distinguishing between Tribal and non-Tribal lands in Oklahoma.

The Federal Communication Commission ("FCC"), in its Second Report and Order,<sup>1</sup> adopted the Oklahoma Historical Map as the new definition of former reservations in Oklahoma. This represents a significant change, in the form of a 73% reduction in Lifeline support from \$34.25 to \$9.25, for a considerable number of Lifeline customers in Oklahoma. While the Oklahoma Corporation Commission is not challenging the boundary change itself, there is a concern that without the FCC's provision of electronic mapping information there will be no way to identify the impacted customers and, hence, no ability to provide advance notice of the change. As of this writing there is no such electronic mapping information available and over half of the 180 day transition period established in the Second Report and Order has passed. Further, the FCC characterized the 180 day transition period as being put in place "To ensure all impacted parties have sufficient time to transition to the Oklahoma Historical Map...."<sup>2</sup> The Oklahoma Corporation Commission considers the Oklahoma Lifeline customers to be "impacted parties" by this change.

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<sup>1</sup> See *In the Matter of Lifeline and Link Up Reform and Modernization, et al., WC Docket 11-42, et al., Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order*, FCC 15-71 (released June 22, 2015).

<sup>2</sup> FCC Second Report and Order, ¶ 265.

The FCC also sought input from the Oklahoma Corporation Commission “to ensure that the OCC and Tribal Nations in Oklahoma can work with Eligible Telecommunications Carriers (“ETCs”) to implement a seamless transition to the newly interpreted boundaries....”<sup>3</sup> The Oklahoma Corporation Commission, in an effort to identify relevant issues associated with this transition, opened a Notice of Inquiry<sup>4</sup> seeking input on the boundary changes and customer notice issues from interested parties. From this process, it is clear that the current effective date of February 9, 2016, combined with the lack of digital mapping information, does not afford adequate opportunity for impacted consumers to receive notice.

The Oklahoma Corporation Commission is deeply concerned that the current effective date of February 9, 2016, will preclude ETCs from being able to provide consumers with adequate advance notice of this significant change.<sup>5</sup> Accordingly, to avoid this outcome, the Oklahoma Corporation Commission would suggest an extension of the effective date for implementation of the Oklahoma Historical Map of ninety (90) days from the date that the digital mapping information is made available to the impacted parties.

The Oklahoma Corporation Commission and its Staff diligently work to carry out their obligations regarding the designation of ETCs in Oklahoma and ensuring such ETCs offer Lifeline services in Oklahoma pursuant to law. In order to ensure that adequate digital mapping information is available in a workable timeframe and that Lifeline consumers are treated fairly, we strongly encourage the FCC to extend the effective date for this change and ensure that consumers are provided adequate notice and opportunity to manage their accounts in response to this significant change.

Regards,

Oklahoma Corporation Commission



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Chairman



DANA L. MURPHY  
Vice Chairman



J. TODD HIATT  
Commissioner

CC: Ryan Palmer, FCC  
Jay Schwarz, FCC  
Garnet Hanly, FCC  
Trent Harkrader, FCC

<sup>3</sup> FCC Second Report and Order, ¶ 267.

<sup>4</sup> See Cause No. PUD 201500350, filed September 24, 2015.

<sup>5</sup> The FCC seems to share this concern when it states “[w]e direct ETCs to work with the OCC to ensure Lifeline consumers have sufficient information regarding how the Oklahoma Historical Map’s boundaries will affect them, so that consumers can adjust to any changes or alterations to the Lifeline service plans to which they currently subscribe.” (emphasis added), FCC Second Report and Order, ¶267.